

(3) (i) A person convicted of violating paragraph (1) of this subsection is guilty of a felony and shall BE SUBJECT TO A FINE NOT EXCEEDING ~~\$1,000,000~~ \$100,000 AND SHALL be sentenced as otherwise provided for in this section, except that it is mandatory upon the court to impose no less than 5 years' imprisonment, and neither that term of imprisonment nor any part of it may be suspended.

(ii) The person may not be eligible for parole except in accordance with Article 31B, § 11 of the Code.

(g) (1) In this subsection, "drug kingpin" means a person who occupies a position of an organizer, supervisor, financier, or manager as a coconspirator in a conspiracy to manufacture, distribute, dispense, bring into, or transport in the State controlled dangerous substances.

(2) A drug kingpin who conspires to manufacture, distribute, dispense, bring into, or transport in the State controlled dangerous substances in one or more of the amounts described under subsection (f) of this section is guilty of a felony and on conviction is subject to:

(i) Imprisonment for not less than 20 nor more than 40 years without the possibility of parole, and it is mandatory on the court to impose no less than 20 years' imprisonment, no part of which may be suspended; and

(ii) A fine of not more than \$1,000,000.

(3) The provisions of § 641 of this article are not applicable to a conviction under this subsection.

(4) Notwithstanding any other provision of this subheading, a conviction under this subsection does not merge with the conviction for any offense which is the object of the conspiracy.

(5) Nothing contained in this subsection prohibits the court from imposing an enhanced penalty under § 293 of this article. This subsection may not be construed to preclude or limit any prosecution for any other criminal offense.

(6) It is not a defense to a prosecution under this section that the controlled dangerous substance was brought into or transported in this State solely for ultimate distribution or dispensing in another jurisdiction

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 13, 1999.